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Measures to eliminate international terrorism

Letter dated 18 March 2003 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to request that the present letter and its annexes should be circulated as a General Assembly document under agenda items 109, Human rights questions, and 160, Measures to eliminate international terrorism.

(*Signed*) Bruno **Rodríguez Parrilla**
Ambassador
Permanent Representative

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Annex I to the letter dated 18 March 2003 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Declaration by the Ministry of Foreign Affairs of Cuba concerning renewed violations against the five Cuban patriots: 13 March 2003

On 12 March 2003, the Ministry of Foreign Affairs of the Republic of Cuba delivered to the United States Interests Section in Havana and to the United States State Department via the Cuban Interests Section in Washington a diplomatic note in which it strongly protested the regime of total isolation imposed upon the five Cubans René González Sehwerert, Gerardo Hernández Nordelo, Antonio Guerrero Rodríguez, Ramón Labañino Salazar and Fernando González Llort, who are wrongfully imprisoned in the United States for defending the people of the United States and Cuba from the terrorist actions of anti-Cuba radical groups located in Southern Florida.

The Ministry of Foreign Affairs has learned through the Cuban Interests Section in Washington and the attorneys of these five brave men that they have been transferred to what is known as the "hole" without any justification or motive, and their communications with their families, their lawyers and our diplomatic mission in Washington, D.C., have been completely cut off.

Additionally, the Ministry has learned of new restrictions on access by consular officials to our compatriots: visits are now limited to three hours by one person only, who must request authorization for the visit 15 days in advance. Furthermore, there is the absurd requirement that English must be spoken during the visit.

All these acts and obstacles imposed by the Government of the United States not only constitute a violation of the most basic human rights of our five compatriots, but represent a further example of the illegal political manoeuvres that have surrounded this process from the outset.

The inability of the defence attorneys to gain access to these five heroes occurs at a crucial stage in the appeals process. This is happening at a time when direct consultation with the defendants is absolutely necessary. All documentation relating to the appeal must be presented by 7 April, but given the current situation, this is practically impossible.

The diplomatic note delivered to the United States authorities demands an immediate halt to these measures and violations, and the full restitution of the rights of our compatriots according to the laws of the United States.

Likewise, the Foreign Ministry demands that the United States authorities fulfil their international obligation to guarantee free and unlimited consular access to the five Cubans.

The fact that the United States authorities have, to date, been unable even to offer a rational explanation for these measures gives us no alternative than to believe that their fear that the truth will prevail during the appeals process, and their sick obsession with endeavouring to cheat the Five, has led the United States authorities to take these extreme and desperate measures.

These brutal acts by the United States authorities against our compatriots and the others that they have had to suffer during this illegal and manipulated process, are intended to break down their will, tenacity and courage.

Once again, these actions will collapse when confronted with the moral stature and the principles that drive Fernando, René, Gerardo, Ramón and Antonio.

Annex II to the letter dated 18 March 2003 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Working Group against Terrorism, National Assembly: serious violations against Gerardo Hernández

Yesterday, 16 March, following frequent requests to Assistant United States Attorney Caroline Heck Miller, attorney Leonard Weinglass was able to obtain her permission to visit Gerardo Hernández — a visit that already had been planned back in February.

According to Weinglass, Gerardo is undergoing the most severe punishment in prison, what is known as "the Box" — a hole within the "Hole". He has been under this regime since 28 February when he was transferred to solitary confinement without any reason given.

He is confined to a very small cell in which one can walk only three steps, with no windows and only a slot through which food is passed. The bars in front are covered with a metal mesh screen through which it is almost impossible to see anything and which remains closed 24-hours a days.

The cell is equipped with a toilet and a concrete bed with a thin pad. His clothes were taken from him and he wears just underpants and a T-shirt. He has no shoes.

He cannot tell when it is day or night. His is the only cell in which the lights remain switched on 24-hours a day, and the constant shouts of other prisoners, most of whom suffer mental health problems, prevent him from sleeping.

No reading material or printed material is allowed. Signs are posted in front of his cell, stating that no one is to have contact with him. He is the only inmate in this segregation regime who is not allowed to use the telephone.

Gerardo has unsuccessfully attempted to register a complaint under the prison's established procedures but has been told that there are no complaint forms available.

On 2 March he filed an informal complaint, since he had no complaint form, but has not received a response.

On 11 March the prison authorities brought him a letter from Joaquín Méndez, one of the defence attorneys, but they took it away before he could read it. On 14 March he was told that he would be given his legal mail. However, to date he has received no correspondence, not even from his attorneys.

The current treatment of Gerardo, Ramón, Antonio, Fernando and René is completely illegal and severely obstructs their defence rights at a time when they and their attorneys need to prepare the appeal that is to be presented before 7 April. This cruel, unusual, discriminatory and completely unjustifiable treatment constitutes a flagrant case of torture that must be strongly and urgently denounced.